

PUBLIC UTILITIES COMMISSION

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December 27, 2017

Ryan Stevenson
Principal Advisor
Regulatory Affairs
Southern California Edison
8631 Rush St, General Office 4 – 235E (2nd Floor)
Rosemead, CA, 91770

RE: West of Devers Upgrade Project: Minor Project Refinement #3

Dear Mr. Stevenson,

On December 22, 2017, Southern California Edison (SCE) submitted Minor Project Refinement #3 request for a minor shift/adjustment to the previously approved Oak Valley Telecom alignment to the California Public Utilities Commission [(CPUC) Notice to Proceed No. 3, August 10, 2017] in support of the West of Devers Upgrade Project, in the City of Beaumont, Riverside County, California.

The CPUC voted on August 18, 2016 to approve SCE's West of Devers Upgrade Project (Decision D.16-08-017) and a Notice of Determination was submitted to the State Clearinghouse (SCH# 2014051041).

The CPUC also adopted a Mitigation, Monitoring, Compliance and Reporting Plan (MMCRP) to ensure compliance with all mitigation measures imposed on the West of Devers Upgrade Project during implementation. The MMCRP also acknowledges that temporary changes to the project, such as final project design and engineering or need for addition workspace, are anticipated and common practice for construction efforts of this scale and that a Minor Project Refinement request would be required for these activities. This letter documents the CPUC's thorough evaluation of all activities covered in this Minor Project Refinement, and that no new impacts or increase in impact severity would result from the requested Minor Project Refinement activities.

Minor Project Refinements are reviewed for consistency with CEQA requirements and are located within the geographic boundary of the project study area. Minor Project Refinements do not create new or substantially more severe significant impacts, or conflict with any mitigation measure or applicable law or policy. Also, they do not trigger other permit requirements unless the appropriate agency has approved the change, and clearly and strictly comply with the intent of the mitigation measure or applicable law or policy.

Minor Project Refinement #3 for a minor shift/adjustment to the previously approved Oak Valley Telecom alignment is granted by CPUC based on the factors described below.

SCE Minor Project Refinement Request. Excerpts from the SCE Revised Minor Project Refinement request, received December 22, 2017, are presented below (indented):

The Notice to Proceed Request (NTPR) #3 Map Figure 2, pages 45 and 46, have been revised to reflect a minor shift/adjustment to the previously approved Oak Valley Parkway Telecom alignment. The adjustment has been made to minimize ground disturbance along Oak Valley Parkway and avoid impacts to a jurisdictional water feature, by using existing conduit and horizontal directional drilling (HDD) for the installation of new fiber optic

cable. Additional work areas have also been identified to facilitate construction. The adjustments do not create new significant impacts for the project.

Updated Temporary Disturbance Impacts:

Developed/Disturbed Approximately 2.2 acres

Biological Resources

The Oak Valley Parkway Telecom alignment is located in a highly urbanized, developed/disturbed portion of the city of Beaumont, crossing Interstate 10.

Sparse riparian areas associated with a confluence or riverine features occur in the vicinity of the alignment. Because these project features were added after the initial habitat assessments and protocol surveys for listed riparian bird species, they were not included in those survey efforts. However, a habitat assessment was conducted on Monday, December 4, 2017 by Stephen Myers, a Qualified Biologist holding a USFWS Section 10(a)(1)(A) permit for Least Bell's Vireo and Southwestern Willow Flycatcher (FRED ID 2131439). Marginally suitable habitat patches for these species were identified within approximately 300 to 500 feet of the alignment. For the purposes of compliance with FEIR/FEIS MM WIL-2c, SCE assumes these habitat patches are historically occupied, although the likelihood is only moderate. As such, during the breeding season, SCE will conduct additional focused nest location surveys in accordance with the Nesting Bird Management Plan. In the unlikely event that active territories are documented, SCE will implement avoidance and minimization measures as described in MM WIL-2c, consistent with the Nesting Bird Management Plan, and as determined in coordination with the Riverside County Regional Conservation Authority, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife. However, SCE endeavors to complete the work outside the avian breeding season to avoid potential constraints associated with the breeding of any avian species. It is also important to note that the listed riparian birds typically do not start establishing nests and territories until approximately March. In addition, based on the distance of the habitat patches from the alignment, even if breeding vireo or flycatchers are noted, impacts to these species are not anticipated.

No other special-status species habitats are located along this portion of the alignment. Therefore, no impacts to special-status species are anticipated.

This portion of the alignment includes habitats for nesting birds (e.g., trees, shrubs, the ground surface, man-made structures). If work extends into the nesting bird season, SCE will conduct additional focused nest location surveys in accordance with the Nesting Bird Management Plan.

No impacts to regulated trees are anticipated. If tree removal or trimming are required, the contractor will be responsible for obtaining permits, if needed, from the local jurisdiction.

Jurisdictional Waters

The alignment crosses a jurisdictional features west of Interstate 10 and South Desert Lawn Drive. However, the telecom alignment is designed to avoid the water feature by directionally drilling below a concrete box culvert. The HDD will be installed approximately 10 feet below the closed concrete bottom of the culvert, minimizing the potential for frac-out into the feature. A single 5-inch diameter conduit will be installed via HDD with no casing, to further minimize the risk of potential frac-out. The Contractor will be prepared to implement the CPUC approved frac-out plan and SCE would pursue emergency permitting in the unlikely event of a frac-out. Ground-based activities will not occur within the mapped limits of the jurisdictional feature.

Cultural Resources

The area has been surveyed for archaeological resources. Results were negative, as reported in:

Mengers, Doug. 2016. *Cultural Resources Survey of Engineering Revision Areas for the Southern California Company's West of Devers Upgrade project (WODUP), Riverside and San Bernardino Counties, California*. PanGIS, Inc., for Southern California Edison. Letter report on file at Eastern Information Center, Riverside, CA.

CPUC Evaluation of Minor Project Refinement Request

In accordance with the MMCRP, the subject Minor Project Refinement request was reviewed by CPUC to confirm that no new impacts or increase in impact severity would result from the requested Minor Project Refinement activities and that the subject request was within the geographic boundary of the Project study area. This review also included a visit of the subject site on December 27, 2017 by the CPUC Environmental Monitor (EM). The following discussion summarizes this analysis for agriculture, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, land use, noise, paleontological resources, traffic and transportation, visual resources, water resources, and wildland fire. A list of bulleted conditions is presented to define additional information and clarifications regarding mitigation requirements. In some cases, these items exceed the requirements of the Mitigation Measures (MMs) and Applicant Proposed Measures (APMs), and are based on specific site conditions and/or are proposed conditions by SCE.

Agricultural: No Important Farmland will be impacted with the implementation of this MPR #3.

Air Quality: During proposed telecom construction, SCE shall implement the Fugitive Dust Control Plan approved by the CPUC on May 22, 2017, as well as the Exhaust Emissions Control Plan approved by CPUC on June 8, 2016. In addition, in compliance with MM AQ-1b, off-road equipment with engines larger than 50 horsepower shall have engines that meet or exceed U.S. EPA/CARB Tier 3 Emissions Standards. No additional impacts to air quality will occur with the implementation of MPR #3.

Biological Resources: The telecom work described in this MPR #3 is in a highly urbanized, developed/disturbed portion of the City of Beaumont. Approximately 2.2 acres of developed/disturbed area will be temporarily disturbed. No impacts to regulated trees are anticipated at this time. If tree removal or trimming are required, the contractor will be responsible for obtaining permits, if needed, from the local jurisdiction. Marginally suitable habitat patches for least Bell's vireo (*Vireo bellii pusillus*) and southwestern willow flycatcher (*Empidonax traillii extimus*) species were identified within approximately 300 to 500 feet of the alignment, and SCE assumes these habitat patches are historically occupied, although the likelihood is only moderate. SCE will conduct additional focused nest location surveys during the breeding season in accordance with the Nesting Bird Management Plan. In the unlikely event that active territories are documented, SCE will implement avoidance and minimization measures as described in MM WIL-2c, consistent with the Nesting Bird Management Plan, and as determined in coordination with the resource agencies. This portion of the alignment includes habitats for nesting birds (e.g., trees, shrubs, the ground surface, man-made structures). If work extends into the nesting bird season, SCE will conduct additional focused nest location surveys in accordance with the Nesting Bird Management Plan. Also, as required by MM WIL-1a, preconstruction surveys for wildlife will be conducted 10 days prior to construction. Additionally, preconstruction survey "sweeps" will also be conducted immediately prior to construction. No additional impacts to biological resources will occur with the implementation of MPR #3.

Cultural Resources: As required by MM CR-1b, a Cultural Resources Management Plan (CRMP) was submitted by SCE on February 2, 2017 and was approved by the CPUC on April 2, 2017. The area has been surveyed for archaeological resources and results were negative (Mengers, Doug. 2016). No additional impacts to cultural resources will occur with the implementation of MPR #3.

Geology and Soils: SCE conducted geotechnical studies to evaluate faults, landslides and unstable slopes, and soil characteristics as outlined in MMs G-1a, G-2a, and G-5a. The geotechnical survey reports were reviewed and approved by the CPUC on August 17, 2017. No additional impacts to geology and soils will occur with the implementation of MPR #3.

Hazards and Hazardous Materials: As required by MM HH-1a, SCE prepared and submitted a Hazardous Materials and Waste Management Plan to the CPUC on September 27, 2017. Hazardous materials used and stored on site for the duration of construction activities and will be managed according to the Plan. A Soil Management Plan has been developed consistent with MM HH-2a and HH-3a to provide guidance for the proper handling, onsite management, and disposal of impacted soil that might be encountered during construction activities, including soil samples to be collected in construction areas where the land has historically or is currently being used for agriculture and would be subject to ground disturbance by the project. SCE's Soil Management Plan was combined with the Hazardous Materials and Waste Management Plan described above. Also, SCE's contractor submitted information including written procedures for fueling and maintenance of construction equipment and an Emergency Response Plan. No additional impacts from hazards or hazardous materials will occur with the implementation of MPR #3.

Land Use: As required by MM LU-1a, a Construction Notification Plan was prepared by SCE and approved by CPUC on May 22, 2017. The Plan identified the procedures to ensure that SCE will inform property and business owners of the location and duration of construction. The Plan includes provisions for public noticing including mailers, newspaper advertisements, public venue notices, and includes the establishment of a public liaison and toll-free information hotline. No additional impacts to land use will occur with the implementation of MPR #3.

Noise: Best Management Practices for construction noise management will be implemented as outlined in MM N-1a to reduce construction noise exposure at noise-sensitive receptors and to avoid possible violations of local rules, standards, and ordinances during construction. Construction noise shall be confined to daytime, weekday hours (7:00 a.m. to 6:00 p.m.) or an alternative schedule developed by SCE based on its coordination with local jurisdiction. Construction traffic and helicopter flights shall be routed away from residences and schools, where feasible. No additional impacts to noise will occur with the implementation of MPR #3.

Paleontological Resources: A Paleontological Resource Mitigation and Monitoring Plan (PRMMP) has been completed for the West of Devers Upgrade Project and was submitted to the CPUC and BLM for review and approval. The PRMMP was approved by the CPUC on May 9, 2017. Monitoring for paleontological resources will be conducted in compliance with MM PAL-1d and the PRMMP requirements. No additional impacts to paleontological resources will occur with implementation of MPR #3.

Traffic and Transportation: Consistent with MM T-1a and MM T-1b, Construction Transportation and Traffic Control Plans have been developed and approved. The Construction Transportation Plan describes timing of commutes, methods of reducing crew-related traffic, and other methods for reducing construction-generated additional traffic on regional and local roadways. No additional impacts to traffic and transportation will occur with the implementation of MPR #3.

Visual Resources: The construction activities described in this Minor Project Refinement #3 are no different than what was described in NTP #3. No additional impacts to visual resources will occur with the implementation of MPR #3.

Water Resources: As required by MM WR-2a, SCE developed and submitted an Erosion Control Plan to the CPUC and BLM. The Erosion Control Plan was incorporated into the Stormwater Pollution Prevention Plan, which will be kept onsite and readily available on request. SCE submitted the Stormwater Pollution Prevention Plans to the CPUC on May 25, 2017. Any changes included in this Minor Project Change #3 will be incorporated into the SWPPP document. No additional impacts to water resources will occur with the implementation of MPR #3.

Wildland Fire: SCE submitted a Fire Management Plan on February 10, 2017 to satisfy the conditions of MM WF-1a and the Plan was approved by the CPUC on July 18, 2017. This Fire Management Plan has been submitted to local fire departments. No additional impacts to wildland fire will occur with the implementation of MPR #3.

The conditions noted below shall be met by SCE and its contractors:

- All applicable Project MMs, APMs, compliance plans, and permit conditions shall be implemented. Some measures have on-going/time-sensitive requirements and shall be implemented prior to and during construction where applicable.
- Copies of all relevant permits, compliance plans, and this Minor Project Refinement shall be available on site for the duration of construction activities. All permits and plans shall be made available to the CPUC EM upon request.
- SCE shall provide CPUC with the revised GIS data, which includes the project changes in this MPR #3.
- All crew members shall be WEAP trained prior to working on the Project. A log shall be maintained on-site with the names of all crew personnel trained. The WEAP training brochure can be provided in Spanish or other languages if appropriate. All participants will receive a hard-hat sticker for ease of compliance verification.
- No movement or staging of construction vehicles or equipment shall be allowed outside of the approved areas. If additional temporary workspace areas or access routes, or changes in technique and mitigation implementation to a lesser level are required, a Minor Project Refinement request shall be submitted for CPUC review.

Sincerely,



Billie Blanchard
CPUC Environmental Project Manager

cc: V. Strong, Aspen